

# ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



## STAFF REPORT

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**MEETING DATE:** 10/13/2021

**Staff Report No. 21-461**

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**TO:** AC Transit Board of Directors  
**FROM:** Michael A. Hursh, General Manager  
**SUBJECT:** Consultant Services for the East Bay Paratransit Consortium

### ACTION ITEM

#### **RECOMMENDED ACTION(S):**

Consider authorizing the release of a Request for Proposals (RFP) for Consultant Services for the Paratransit Coordinator's Office (PCO) for the East Bay Paratransit Consortium (EBPC).

#### **STRATEGIC IMPORTANCE:**

Goal - Financial Stability and Resiliency

Initiative - Financial Efficiency and Revenue Maximization

The PCO provides the critical function of impartial, independent review for accuracy and the tracking of trends and indicators as they relate to the EBPC. The PCO focuses exclusively on East Bay Paratransit (EBP) services and is necessary to ensure financial stability and efficiencies.

#### **BUDGETARY/FISCAL IMPACT:**

Prior to July 1, 2010, AC Transit's responsibility for funding the PCO was 69% percent of the total cost. It was determined, and BART agreed, that both agencies derive equal benefit from the services performed by the PCO. The costs for the PCO are now a 50/50 split between the agencies. The FY 2021-22 total contracted cost is not disclosed at this time to ensure the District receives the best possible pricing.

#### **BACKGROUND/RATIONALE:**

The Americans with Disabilities Act (ADA) requires all fixed-route operators to provide "complementary paratransit service" to persons who are unable to use fixed-route service due to a physical or cognitive disability. AC Transit and BART chose to meet this federal requirement by forming the East Bay Paratransit Consortium (EBPC) via a Joint Powers Agreement (JPA) to provide ADA-mandated paratransit services in the agencies' overlapping service area.

The Program Coordinator's Office (PCO) was created at the inception of the EBPC to serve as a neutral, central point of contact between AC Transit and BART, coordinate the activities of the paratransit program, prepare and analyze financial and detailed operating data, and oversee activities of the Paratransit Broker. The PCO provides the critical function of impartial, independent review for accuracy and the tracking of trends and indicators in the Broker's performance, service quality and budget. The PCO focuses exclusively on EBPC

issues. The PCO function is well received by both internal and external auditors as an effective method of providing checks and balances to the EBPC.

The RFP is a five-year fixed fee contract with one three-year option. The RFP calls for the PCO to perform, among other activities, the following functions:

- Review and oversight of all financial and operating data from the Broker;
- Development of all Claims and Compliance reports, including Measure BB, Measure J, FTA and NTD reporting;
- Development of Agency Budgets and Budget Projections;
- Collection of all audit materials and data to ensure consistency between the agencies;
- Development of the Broker/Service Provider RFP in 2022;
- Oversight of the Annual Customer Satisfaction Survey;
- Oversight and facilitation of the Service Review Advisory Committee (SRAC)
- Auditing of the Customer Services/Call Center complaint process;
- Special Projects as assigned by the Program Managers such as Emergency Planning

The current contract with the current PCO, Paratransit, Inc., will expire on June 30, 2022.

Depending on the outcome of the solicitation for the Broker/Service Providers the PCO may assume, among other things, quality assurance, road supervision and contract compliance functions currently being performed by the Broker. An option for these tasks will be priced separately to begin in Year 2 of the PCO contract (FY 23/24).

Staff is requesting the release of the PCO RFP now to allow, at a minimum, three months for a seamless transition of the PCO duties and activities.

Although AC Transit holds the contract with the PCO, BART is a co-signatory to the contract and supports the continuation of this critical function.

#### **ADVANTAGES/DISADVANTAGES:**

The release of the PCO RFP will ensure a timely procurement process and award to allow three months for the successful bidder to secure a seamless transition of the PCO duties and activities.

Other than a potential increase in cost, there are no disadvantages to releasing the RFP.

#### **ALTERNATIVES ANALYSIS:**

With BART's approval, either BART or AC Transit could bring this function in house. However, over the years staff has analyzed the cost of in-house versus a contracted position and has found that the cost of the contracted position(s) has always been more cost-effective. This is largely due to the required skill level of the PCO and the fringe costs of each of the agencies. Additionally, the agencies would lose the benefit of an independent third-party liaison to coordinate the functions of the EBPC.

**PRIOR RELEVANT BOARD ACTION/POLICIES:**

Board Policy 465 - Procurement Policy

**ATTACHMENTS:**

None

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